

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**SB 38 – HB 250**

May 13, 2009

**SUMMARY OF AMENDMENT (008074):** Deletes all language after the enacting clause. Defines “underage adult” as a person who is at least 18 but less than 21 years of age. Creates a new Class A misdemeanor for a owner or occupant of property knowingly to allow an underage adult to consume alcoholic beverages, wine or beer while the underage adult is present on such property. Creates an affirmative defense to prosecution that the defendant acted upon a reasonably held belief that the underage adult was 21 years or age or older.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Revenue – Not Significant  
Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant  
Increase Local Expenditures – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Under current law, it is a Class A misdemeanor for a person to persuade, entice, or send a minor to purchase alcoholic beverages or beer in any quantity, or to give or buy alcoholic beverages or beer to a minor for any purpose
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc